

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

KHAMSAY XAYAMONTY,

Case No. 23-CV-424 (NEB/JFD)

Petitioner,

ORDER ACCEPTING REPORT AND
RECOMMENDATION

v.

WARDEN THOMAS,

Respondent.

The Court has received the May 12, 2023, Report and Recommendation of United States Magistrate Judge John F. Docherty. (ECF No. 13.) No party has objected to that Report and Recommendation, and the Court therefore reviews it for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Finding no clear error, and based upon all the files, records, and proceedings in the above-captioned matter, IT IS HEREBY ORDERED THAT:

1. The Report and Recommendation (ECF No. 13) is ACCEPTED; and
2. The Petition for Writ of Habeas Corpus (ECF No. 1) is DISMISSED.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: July 16, 2023

BY THE COURT:

s/Nancy E. Brasel

Nancy E. Brasel

United States District Judge